

Press ReleaseNational Labor Relations Board

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Brian Hayes, Mark Pearce confirmed by Senate as Board members

Mark Gaston Pearce and Brian Hayes today were confirmed by unanimous consent in the Senate as members of the National Labor Relations Board. Both had been nominated by President Obama in July, 2009.

The term of Mr. Pearce, who was recess-appointed to the Board by the President and began serving in early April, will expire in August 2013. He was a founding partner of the Buffalo, New York law firm of Creighton, Pearce, Johnsen & Giroux, where he practiced union side labor and employment law before state and federal courts and agencies. From 1979 to 1994, he was an attorney and District Trial Specialist for the NLRB in Buffalo, NY. Pearce received his law degree from State University of New York, and his undergraduate degree from Cornell University.

Mr. Hayes, who currently serves as the Republican Labor Policy Director for the U.S. Senate Committee on Health, Education, Labor and Pensions, will fill a term expiring in December 2012. Previously Mr. Hayes was in private practice for 25 years representing management clients in labor and employment law. He began his legal career as a clerk for the NLRB's Chief Administrative Law Judge, and later served as counsel to the Board Chairman. He is a member of the Massachusetts and District of Columbia bars, and the American Bar Association and its Labor and Employment Law Section. Mr. Hayes earned his undergraduate degree from Boston College and his law degree from Georgetown University Law Center.

When Mr. Hayes joins the Board, the NLRB will be at full five-member strength for the first time since December 2007. The Board operated with only two members for 27 months, until April 2010, as confirmation of nominees named by Presidents Bush and Obama were stalled. The two members issued about 600 decisions in matters on which they could agree. However, last week a divided Supreme Court ruled that they were not authorized to do so.

The term of Member Peter C. Schaumber expires in late August of this year. Chairman Wilma Liebman's term will expire in August of 2011, while the recess appointment of Member Craig Becker is due to expire at the end of 2011.

The National Labor Relations Board is an independent federal agency vested with the power to safeguard employees' rights to organize and to determine whether to have unions as their bargaining representative. The agency also acts to prevent and remedy unfair labor practices committed by private sector employers and unions.

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